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### REMARKS

The Applicants respectfully request reconsideration of this application in view of the above amendments and the following remarks.

#### Response to Amendment/Declaration

The Examiner has asserted that the declaration filed on 6/22/06 under 37 C.F.R. 1.131 is insufficient to establish conception of the invention prior to the effective date of the Gast reference because Appendix A of the declaration does not mention use of ports or use of ports and logic to indicate which security format should be used based on port number.

Applicants respectfully submit that this conclusion is inappropriate. The patent application makes it abundantly clear that there are different ways, besides just ports, to indicate a security protocol. A few illustrative ways are discussed in paragraphs [0028] through [0033] of the present patent application. Some of these illustrative ways do not require the use of ports to indicate which security format should be used. Accordingly, it is simply incorrect and inappropriate for the Examiner to assume that ports must be used to indicate which security format should be used.

Furthermore, of the independent claims 18, 29, 36, 40, and 47, only claim 40 mentions "selecting a security format conversion ... in dependence upon the received indication of the port". The other independent claims 18, 29, 36, and 47 are not limited to selecting the security format conversion in dependence upon a received indication of a port.

Still further, Appendix A specifically mentions ways of specifying how to encrypt data. In particular, page 7 discusses that the Application Module detects whether the

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incoming stream is SSL, WTLS, or plain data. This may be based on a handshake. An example WTLS handshake is discussed on page 8. On page 8 it is specifically discussed that the CLIENTHELLO message may include a protocol version, a cipher suite, and other information describing how the client wishes to encrypt the data. Still other ways of indicating security protocols may be apparent to those skilled in the art and having the benefit of Appendix A.

Accordingly, it is simply inappropriate for the Examiner to conclude that the declaration is insufficient merely because Appendix A of the declaration does not mention use of ports or use of ports and logic to indicate which security format should be used based on port number. The patent application mentions that there are other ways, Appendix A specifically discloses another way, and selecting the security format conversion in dependence upon a received indication of a port is not included in independent claims 18, 29, 36, and 47.

#### 35 U.S.C. §102(e) Rejection - Strahm

The Examiner has rejected claims 18, 22-29, 31-34, 36, 38-40 and 42-48 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2002/0133598 issued to Strahm et al. (hereinafter referred to as "Strahm"). The Applicants respectfully submit that the present claims are allowable over Strahm.

Claim 18 recites a system comprising:

*"a network interface couplable with a public network to receive a first client message and first data that is encrypted according to a wireless security format and to receive a second client message and second data that is encrypted according to a wired security format;*

*a selection system coupled with the network interface to select a first security format conversion for the first data and to select a second security format conversion for the second data; and*

*a conversion system coupled with the selection system to perform the first security format conversion on the first wireless security format encrypted data and to perform the second security format conversion on the second wired security format encrypted data”.*

Strahm does not teach or reasonably suggest these limitations. In particular, Strahm does not teach or reasonably suggest a system including a network interface to receive first data that is encrypted according to a wireless security format and a second data that is encrypted according to a wired security format, and a conversion system to perform the first security format conversion on the first wireless security format encrypted data and to perform the second security format conversion on the second wired security format encrypted data.

In paragraph [0024], Strahm discloses “Security protocols are established and authenticated 324 as are compression protocols 326. Examples of security protocols include transport layer security (TLS), secure sockets layer (SSL), and wireless TLS (WTLS)”. However, Strahm does not teach or suggest that the home agent 160 receives first data that is encrypted according to a WTLS and a second data that is encrypted according to SSL. In particular, Strahm does not teach or suggest that the home agent 160 receives data encrypted according to WTLS. Literally, Strahm merely states “Examples of security protocols include transport layer security (TLS), secure sockets layer (SSL), and wireless TLS (WTLS)”. Strahm does not otherwise mention WTLS.

As understood by Applicants, WTLS encrypted data would typically be converted to another format, such as SSL, within a WAP gateway (see e.g., Figures 1-2 of the present patent application), or within a trusted WTLS/SSL conversion system (see e.g., Figure 3 of the present patent application), or otherwise, prior to reaching the home agent 160. Since such security format conversion from WTLS to another format is typically performed, and since Strahm does not specifically disclose that the home agent 160 receives WTLS data, Applicants respectfully submit that Strahm does not teach or

reasonably suggest a system including a network interface to receive first data that is encrypted according to a wireless security format and a second data that is encrypted according to a wired security format.

Anticipation under 35 U.S.C. Section 102 requires every element of the claimed invention be identically shown in a single prior art reference. The Federal Circuit has indicated that the standard for measuring lack of novelty by anticipation is strict identity. *"For a prior art reference to anticipate in terms of 35 U.S.C. Section 102, every element of the claimed invention must be identically shown in a single reference."* In *Re Bond*, 910 F.2d 831, 15 USPQ.2d 1566 (Fed. Cir. 1990).

For at least these reasons, claim 18 and its dependent claims are believed to be allowable over Strahm.

Independent claims 29, 36, 47, and their respective dependent claims, are believed to be allowable for reasons similar to those discussed above for claim 18.

Claim 40 recites in part "selecting a security format conversion ... in dependence upon the received indication of the port". Strahm does not teach or suggest these limitations. Accordingly, claim 40 and its dependent claims are believed to be allowable over Strahm.

#### 35 U.S.C. §103(a) Rejection - Strahm

The Examiner has rejected claims 19, 20, 21, 30, 37 and 41 under 35 U.S.C. §103(a) as being unpatentable over Strahm.

As discussed above, Strahm does not teach or reasonably suggest the limitations of the independent claims. Accordingly, the independent claims and their respective dependent claims, are believed to be allowable over Strahm.

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**35 U.S.C. §103(a) Rejection – Strahm and Martin**

The Examiner has rejected claim 35 under 35 U.S.C. §103(a) as being unpatentable over Strahm in view of U.S. Patent No. 7,055,171 issued to Martin et al. (hereinafter "Martin").

As discussed above, Strahm does not teach or reasonably suggest the limitations of the independent claims. Martin does not remedy what is missing from Strahm. Accordingly, claim 35 is believed to be allowable over Strahm and Martin.

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### Conclusion

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance. Applicants respectfully request that the rejections be withdrawn and the claims be allowed at the earliest possible date.

### Request For Telephone Interview

The Examiner is invited to call Brent E. Vecchia at (303) 740-1980 if there remains any issue with allowance of the case.

### Request For An Extension Of Time

The Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17 for such an extension.

### Charge Our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 11-27-06

Brent E. Vecchia  
Brent E. Vecchia  
Reg. No. 48,011

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025-1030

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